

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Clarissa W.-J.,

File No. 23-cv-729 (ECT/ECW)

Plaintiff,

v.

**ORDER ACCEPTING REPORT  
AND RECOMMENDATION**

Martin J. O'Malley, *Commissioner of Social  
Security Administration*,

Defendant.

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Magistrate Judge Elizabeth Cowan Wright issued a Report and Recommendation on July 10, 2024. ECF No. 23. No party has objected to that Report and Recommendation, and it is therefore reviewed for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all the files, records, and proceedings in the above-captioned matter, **IT IS ORDERED THAT:**

1. The Report and Recommendation [ECF No. 23] is **ACCEPTED**.
2. Plaintiff Clarissa W.-J.'s request for reversal or remand of the Commissioner's decision [ECF No. 16] is **GRANTED in part** and **DENIED in part** as set forth in the Report and Recommendation.
3. This case is **REMANDED** for the purpose of clarifying Plaintiff's mental RFC during a 30-day training period and the bases for that RFC and, if necessary, obtaining relevant testimony from a VE as to the step five analysis.

4. Defendant Commissioner of Social Security's request to affirm the Commissioner's decision [ECF No. 18] is **DENIED**.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: July 25, 2024

s/ Eric C. Tostrud

Eric C. Tostrud

United States District Court